

REMARKS/ARGUMENTS

Claims 1-25 are pending in the present application. The Examiner has rejected claims 1-25. Applicant respectfully requests reconsideration of pending claims 1-25.

The Examiner states that the application does not have updated information relating to co-pending applications cited in page 1, such as US serial number. Applicant has amended the application to provide the requested information.

The Examiner has rejected claims 1-7, 9-22, and 24-25 under 35 U.S.C. § 102(e) as being anticipated by Pitcher (U.S. Patent No. 6,370,142). Applicant respectfully disagrees.

Thus, Applicant submits that claim 1 is in condition for allowance. Since claims 2, 4, and 5 depend from claim 1, Applicant submits that claims 2, 4, and 5 are also in condition for allowance.

Regarding claim 1, Applicant submits that the cited portion of Pitcher et al. fails to disclose the claimed invention as set forth in claim 1. Applicant notes that col. 9, lines 16-21, of Pitcher et al. refer to a "forwarding engine" in singular form. Thus, Applicant submits that the cited portion of Pitcher et al. fails to disclose, for example, "obtaining registration information from a plurality of forwarding engines." As another example, the cited portion of Pitcher et al. fails to disclose "identifying the plurality of forwarding engines based on the registration information."

As yet another example, the cited portion of Pitcher et al. fails to disclose "providing control information to at least one forwarding engine of the plurality of forwarding engines for at least one of: distributed routing maintenance and a specific data forwarding operation." While the Examiner states that "Pitcher teaches...control information is found in the packets" and cites col. 14, line 38 of Pitcher et al., Applicant respectfully disagrees. Applicant notes that col. 14, lines 37-40 of Pitcher et al. states "The destination strip/insert control information 1020 includes control data used to construct the appropriate packet headers during the reassembly process." Applicant further notes that col. 14, lines 6-9 state that a destination strip/insert control field 1020 is included in each Dtag entry. Applicant can find no evidence in Pitcher et al.'s explanation of "Dtags" (col. 13, line 25, et seq.) that Dtags are found in packets. Applicant notes the foregoing only to disprove the Examiner's assertion, and the foregoing argument should not be construed to imply limitations not recited in claim 1. Applicant submits that the Examiner's assertions are not borne out by the teachings of Pitcher et al.

Applicant further submits that Pitcher et al. fail to disclose elements of claim 1. Thus, Applicant submits that claim 1 is in condition for allowance.

Regarding claims 2-5, Applicant respectfully disagrees. While the Examiner cites col. 2, lines 38-43, of Pitcher et al., Applicant notes that Pitcher et al. describe in col. 2 a disadvantageous “prior approach” (col. 2, line 62), which Pitcher et al. clearly distinguishes from what Pitcher et al. claim to be their invention. Pitcher et al. fails to disclose any way to combine the admitted disadvantageous “prior approach” with their teachings related to what they claim to be their invention. Thus, Applicant submits that the prior art fails to teach, and, in fact, teaches away from the Examiner’s attempt to combine the admitted disadvantageous “prior approach” with what Pitcher et al. claim to be their invention.

Moreover, Applicant notes that Pitcher et al. fail to teach the invention as recited in claim 2. While Applicant notes that the Examiner earlier referred to col. 9, lines 16-21, of Pitcher et al., which recite a “forwarding engine,” Applicant notes that col. 7, lines 15-20 and 23-26, as cited by the Examiner, are devoid of any mention of a “forwarding engine.” Thus, Applicant submits that claims 2-5 are in condition for allowance.

Regarding claim 6, Applicant submits that the Examiner’s assertion as to what Pitcher teaches does not appear to be borne out by the cited portion of Pitcher et al. Moreover, Applicant submits that even what the Examiner asserts, much less what Pitcher et al. teaches, fails to anticipate claim 6. For example, Applicant notes that the Examiner refers to “routing information,” yet Applicant can find no mention of “routing information” in either the cited portion of Pitcher et al. or in claim 6. Likewise, Applicant can find no mention of “viewable registration of group members,” as recited by the Examiner, in either the cited portion of Pitcher et al. or in claim 6. Thus, Applicant submits that Pitcher et al. fails to anticipate claim 6. Therefore, Applicant submits that claim 6 is in condition for allowance.

Regarding claim 7 and 9, Applicant respectfully disagrees. Applicant submits that the cited portions of Pitcher et al. fail to disclose the claimed invention as set forth in claims 7 and 9. For example, as noted above, Applicant submits that the cited portions of Pitcher et al. fail to disclose “providing control information to at least one forwarding engine of the plurality of forwarding engines...,” as recited in claim 1. The cited portions of Pitcher et al. that the Examiner now cites, when considered in view of the Examiner’s assertions regarding claim 1, do not yield teaching that would

anticipate claims 7 or 9. For example, in Pitcher et al. col. 18, lines 4-9, as cited by the Examiner, Pitcher et al. state that Pitcher et al.'s "control information" is stored in one or more locally maintained tables, which are apparently locally maintained by the SAR unit within the LAN card. Such storage in locally maintained tables of an SAR unit of a LAN card does nothing to suggest any sort of "providing control information to at least one forwarding engine of the plurality of forwarding engines...."

Applicant notes the foregoing only to disprove the Examiner's assertion, and the foregoing argument should not be construed to imply limitations not recited in claims 7 or 9. However, in absence of any meaningful evidence that the teachings of Pitcher et al. anticipate claims 7 or 9, Applicant submits that claims 7 and 9 are in condition for allowance.

Regarding claims 10 and 11, Applicant respectfully disagrees. Applicant can find no teaching in the cited portion of Pitcher et al. that could be construed to anticipate either claim 10 or 11. For example, neither the cited portion of Pitcher et al., nor the Examiner's interpretation thereof, teaches anything relating to "...the plurality of traffic flows allow for varying levels of service with respect to subsets of the plurality of forwarding engines...", as recited in claim 10, or "...providing the control information to a portion of the plurality of forwarding engines via a shared traffic flow," as recited in claim 11. Applicant also notes that Applicant's argument above with regard to claim 1 can be extended such that Applicant submits that Pitcher et al. fail to disclose "providing the control information to a plurality of forwarding engines" for the same reasons Applicant asserts above regarding claim 1. Thus, Applicant submits that claims 10 and 11 are in condition for allowance.

Regarding claims 12-17, Applicant respectfully disagrees. As Applicant has pointed out above, Pitcher et al. fail to disclose teachings that would anticipate the claimed invention. Thus, Pitcher et al. cannot teach a processor having memory that carries out the claim limitations of claims 12-17. Therefore, Applicant submits that claims 12-17 are in condition for allowance.

Regarding claims 18-22, 24, and 25, Applicant respectfully disagrees. As Applicant has pointed out above, Pitcher et al. fail to disclose teachings that would anticipate the claimed invention. Thus, Pitcher et al. cannot teach a processor having memory that carries out the claim limitations of claims 18-22, 24, and 25. Therefore, Applicant submits that claims 18-22, 24, and 25 are in condition for allowance.

The Examiner has rejected claims 8 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Pitcher (U.S. Patent No. 6,370,142) in view of Batz (US Patent No. 5,918,022). Applicant respectfully disagrees.

Regarding claims 8 and 23, Applicant agrees that Pitcher et al. fails to teach of a tunneling data type, but otherwise disagrees with the Examiner's assertions. Applicant submits that Pitcher et al. and Batz et al. are non-analogous art. Applicant submits that the Pitcher et al. reference relates to IP multicast pruning, while the Batz et al. reference relates to a very specific protocol apparently used only by airlines (i.e., airline protocol support (ALPS), col. 6, line 33, of Batz et al.). Applicant submits that Pitcher et al. appears to teach nothing related to ALPS, and Batz et al. appears to teach nothing related to IP multicast pruning. Applicant submits that there is no suggestion in the prior art to attempt to combine the teachings of Pitcher et al. and Batz et al. in an attempt to yield the claimed invention as set forth in claims 8 or 23. Moreover, Applicant submits that, as claims 8 and 23 depend from claims for which Applicant already submits are in condition for allowance, Applicant further submits that claims 8 and 23 should be allowed. Thus, Applicant submits that claims 8 and 23 are in condition for allowance.

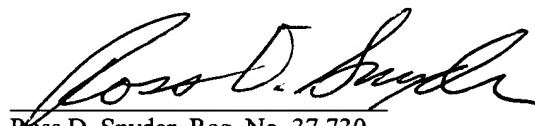
Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

01/02/2003

Date



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Version with Markings to Show Changes Made



In the Specification:

On page 1, lines 4-7, please delete the paragraph that begins "This application is related..." and insert in place thereof the following paragraph:

This application is related to a co-pending application entitled "METHOD AND APPARATUS FOR PROVIDING DISTRIBUTED COMMUNICATION ROUTING" that has an application number of 09/352,563 and an attorney docket number of 1400.4100210 and which was filed on July 13, 1999, the same day as the present application.

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